

### REMARKS

Applicant earnestly but respectfully requests entry of the Amendment and the following remarks. Applicant further respectfully but earnestly requests the Examiner to reconsider all objections and rejections and pass this case to allowance.

The amendment to claim 8 corrects the spelling of the word "one."

Applicant respectfully traverses the rejection of claims 1, 2 and 6-8 under 35 U.S.C. §102(b) over the Waragai et al. reference, U.S. Patent No. 4,446,185.

The Office Action opines that this reference "discloses a thermoplastic resin foam molding" (page 2), but this is mistaken. The reference does not teach, suggest, or disclose a thermoplastic resin foam molding. The reference refers to a reaction injection molded article. Attention is respectfully invited to the Abstract and to column 3, at lines 10-43. Reaction injection molding (RIM) is known in the art. The teachings in this cited reference concern reaction injection molded urethane products. This is evident from the Abstract, column 3, lines 10-43, column 5, lines 15-30 and the published patented claims. The foamed polyurethane resin material is foamed by mixing and foaming a liquid A and a liquid B. The liquid A comprises a polyol, a catalyst and a foaming agent. The liquid B comprises a crosslinking agent, namely a polyisocyanate. The resultant reaction injection molded material constitutes a thermosetting material. It is not, by definition, a thermoplastic resin, and certainly is, again, by definition, not a thermoplastic resin foam molding.

Claim 1 on the other hand refers to "a thermoplastic resin foam molding...."

Since the reference neither describes, discloses nor suggests "a thermoplastic resin foam molding" the anticipation rejection of claims 1, 2 and 6-8 should be reconsidered and withdrawn.

Applicant traverses the rejection of claims 3 and 4 under 35 U.S.C. §103 over the Waragai et al. reference.

Dependent claim 3 and dependent claim 4 each define novel and unobvious inventions over the applied Waragai reference. These dependent claims refer to a thermoplastic resin foam molding (see claim 1) as further defined by their respective additional recitations. Thus, at the outset, the Waragai et al. reference is deficient in that it teaches a thermosetting material, not a thermoplastic material.

The Office Action also recognizes that the Waragai et al. reference fails to teach the specific claimed foam ratio for a joint between the substrate and a projection, and the specific claimed average foamed ratio for such a projection. Office Action, page 4.

Furthermore, while Applicant appreciates the Examiner's effort in providing an explanation for the rejection (Office Action, page 4), it is nonetheless respectfully submitted that such rationale is inapposite inasmuch as the reference would not have taught the claimed inventions for the reasons stated above.

Applicants respectfully traverses the rejection of claim 5 under 35 U.S.C. §103(a) over the Waragai et al. reference when taken in view of the Masubuchi et al. reference, EP 0925895.

Claim 5 depends from claim 1. Claim 1 refers to a thermoplastic resin foam molding, which is neither described, disclosed or suggested by the Waragai et al. reference.

Claim 5 adds the recitation that the thermoplastic resin is a propylene-based resin whose Izod impact value at 23°C is 10 KJ/m<sup>2</sup> or more. The Office Action acknowledges that the Waragai et al. reference fails to disclose the thermoplastic resin as being a propylene-based resin whose Izod impact value at 23°C is 10 KJ/m<sup>2</sup> or more.

Consequently, as Applicant has submitted above, the Waragai et al. reference neither discloses nor would it have taught a thermoplastic foam molding in which a projection is formed on a substrate made up of a foam layer and a skin layer, both layers being of the same material, so that the R/L ratio may fall within a range of 3 to 50.

Appl. No. 10/056,211

Amdt. dated May 18, 2004

Reply to Office Action of November 20, 2003

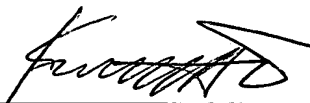
Masubuchi et al. relate to automobile interior equipment, but would not have provided a person of ordinary skill in the art with the incentive and motivation to replace the thermosetting RIM product (polyurethane resin) of Waragai et al. with a thermoplastic resin, such as PPE.

Therefore, *arguendo*, even if Masubuchi et al would have taught a propylene-based resin whos Izod impact value at 23°C is 10 KJ/m<sup>2</sup>, which is not conceded herein, the combination of the cited documents would still not have suggested a thermoplastic molding in which a projection is formed on a substrate made up of a foam layer and a skin layer, both layers being of the same material, so that the R/L ratio may fall within the Applicant's range.

Applicant therefore earnestly but respectfully requests that the application receive a Notice of Allowance.

Respectfully submitted,

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